

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CATHRYN COLEMAN,)	FILED: FEBRUARY 5, 2009
)	09CV739
Plaintiff,)	JUDGE COAR
)	MAGISTRATE JUDGE DENLOW
v.)	
)	
COOK COUNTY,)	PH
)	
Defendant.)	JURY DEMANDED

COMPLAINT

NOW COMES Plaintiff, CATHRYN COLEMAN, by and through her attorneys, Jonathan C. Goldman and Arthur Ehrlich of Goldman & Ehrlich, and as her complaint against Defendant, COOK COUNTY, states as follows:

1. This is an action for discrimination on the basis of Plaintiff's disability and retaliation in violation of the Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*
2. Plaintiff invokes the jurisdiction of this court pursuant to 28 U.S.C. § 1331, and 42 U.S.C. 12101 *et seq.*
3. Plaintiff requests a trial by jury.
4. On May 19, 2005, September 21, 2007, and December 20, 2007, Plaintiff filed timely Charges of Discrimination with the Illinois Department of Human Rights and the Equal Employment Opportunity Commission. On December 30, 2008 and January 5, 2009, the U.S. Department of Justice issued "right to sue" letters informing the Plaintiff of her right to bring a civil action in the U.S. District Court within ninety (90) days.
5. Venue is proper in the Northern District of Illinois, Eastern Division because the alleged acts occurred within this district.
6. Plaintiff, CATHRYN COLEMAN, is a citizen of the United States and is a resident of Cook County, Illinois. Plaintiff suffers from Spasmodic Dysphonia, which can affect her ability

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to talk. This condition constitutes a disability because it prevented her from taking part in various major life activities, but did not prevent her from performing the essential functions of her position with an accommodation. In addition, Defendant regarded her as having a disability.

7. Defendant, COOK COUNTY, is a governmental entity organized under the laws of the State of Illinois.

8. Plaintiff began working for the Defendant on May 10, 1989 as a Clerk. On September 27, 2007, Plaintiff's job was eliminated and on October 22, 2007, Plaintiff was constructively discharged.

COUNT I - DISABILITY DISCRIMINATION

9. At various times during Plaintiff's employment, she sought reasonable accommodations for her disability. When those requests were denied, she was forced to take extended leaves of absence. Plaintiff was also harassed because of her disability. On September 27, 2007, Plaintiff's job was eliminated which led to her constructive discharge on October 22, 2007.

10. Defendant's conduct constitutes a violation of the American's with Disabilities Act, 42 U.S.C. §12112 and §12201.

11. As a result of Defendant's above-stated actions, Plaintiff has been deprived of wages and employment benefits and will continue to be deprived of wages and employment benefits in the future.

12. Plaintiff has also suffered from extreme mental anguish, physical pain, stress, humiliation and embarrassment as a result of Defendant's acts, entitling her to compensatory damages.

13. Furthermore, Plaintiff is entitled to reasonable attorneys fees and her costs of suit.

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WHEREFORE, Plaintiff CATHRYN COLEMAN requests judgment in her favor and against Defendant, COOK COUNTY and the following relief:

- A. Backpay;
- B. Front pay;
- C. Compensatory damages;
- D. Plaintiff's costs and reasonable attorney's fees; and
- E. Any other and further relief as this court may deem just and proper.

COUNT II - RETALIATION

1-8. Plaintiff reasserts paragraphs one through eight of Count I as paragraphs one through eight of this Count II.

9. On May 19, 2005, July 2005 and September 21, 2007, Plaintiff filed charges of discrimination with the Illinois Department of Human Rights and Equal Employment Opportunity Commission and proceeded with some of these claims before the Illinois Human Rights Commission. Subsequently, Defendant continued to deny Plaintiff's requests for accommodation, forced her to take various leaves of absence, eliminated her position and constructively discharged her.

10. Defendant's conduct constitutes retaliation in violation of the Americans with Disabilities Act, 42 U.S.C. §12203.

11. As a result of Defendant's above-stated actions, Plaintiff has been deprived of wages and employment benefits and will continue to be deprived of wages and employment benefits in the future.

12. Plaintiff has also suffered from extreme mental anguish, physical pain, stress, humiliation and embarrassment as a result of Defendant's acts, entitling her to compensatory damages.

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13. Furthermore, Plaintiff is entitled to reasonable attorneys fees and her costs of suit.

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- E. Any other and further relief as this court may deem just and proper.

Dated: February 5, 2009

/s/ Jonathan C. Goldman

Jonathan C. Goldman of Goldman & Ehrlich,
as Attorney for CATHRYN COLEMAN

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